G. R. S. IX-5]

Previous references.

File No. 32-21

192/.

Serial Nos. 1-2

(No.)

Later references.

Preserve

Preserve

27/4/23

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two.

Part B for August 1921

SUBJECT.

Extradition of Nanjunda Chetty accused under Section 379 I.P.C. in C.C. No. 97 of 20-7

8(2) To The D. C. Kolar &c.

No. J 708 of 11.8.21.

States that the offender may be prosecuted if necessary in the Courts having jurisdiction in British India for reasons stated.

16/8/21

WD 1888—GPB—16,826—23-7-21

282

G. R. S. 11) 1921-22

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 32.21

FILE HEADING.

Extradition of Nanjunda Chetty accused under section 379 I.P.C in C.C no 97 of 20-21 on the file of the Amildar Magistrate of Malur.

From

The District magistrate Kolar

Rge No. 53 Dated 20.7.21 Received 21.7.21

Diary No. 282	Enclos. Records Spare Copies.	Serial No. /

BRIEF ABSTRACT OF LETTER.

Forwards the records of the preliminary enquiry in C.C no 97 of 20-21 on the file of the Amildar Magistrate of Malur and requests that the extradition of the Resident be moved to issue an extradition warrant for the surrender of the accused Nanjunda Chetty.

NOTES AND ORDERS.

The translations of the depositions of witnesses and a memo of evidence have been received. The case is one similar to that of the extradition of Madanagiriamma (cited herewith) Submitted for orders with the usual draft

22/7/21 New Secy

22/7

5 51 / 22.7.21 2nd member.

22.7.21.

NOTES—First Sheet.

382

2

G. R. S. III-2]

General and Revenue Secretariat. | Courts File No. 32 of 1921

Serial No.

Orders

1) This Case is Similar to that of Madanagopalamma (Linked 260 of 20) Draft put up for approval

D.M. 6/8

2nd Member

By Revision Offce as in the other cases

D.M. 2/8

By Hon'ble Member

With Member's office is similar case with one exception

2. To be D. de. Scolar Esq. Dy. No. 408 dt. 11.8.1921.

States that the offender may be prosecuted if necessary in the courts having jurisdiction in British India for reasons stated

Bone 13/8

DIARY No. 282

13

Office of the District Magistrate, Kolar District.

Dated Kolar, the 18th July 1921.

Cts 32-21-1

From

Md. Zahiruddin Mecci, Esq., B.A.,

District Magistrate, Kolar District.

To

B. Ramaswamaiya, Esquire, B.A., BL.,

Secretary to the Government of Mysore,

Revenue Department, B a n g a l o r e.

Sir,

I have the honor to forward herewith, an application, with the connected records, for the surrender of one Nanjunda Chetty, a resident of Berki village, Salem District, against whom, a prima facie case of theft, under Sec.379 I.P.C., has been made out in C.C.No:97 of 20-21, on the file of the Amildar and 2nd Class Magistrate, of Malur, and to request that the Hon'ble the Resident in Mysore, may be moved to kindly issue the necessary warrant, for the surrender of the accused, to the Inspector of Police, Malur.

2. The individual under reference, is reported to have surrendered himself to the Stationary Sub Magistrate of Hosur, who has enlarged him on bail.

3. The memo of evidence, with the translations of depositions, is also enclosed.

I have the honor to be,
S i r,
Your most obedient servant,

for District Magistrate,
Kolar District.

V.V.R.

2415

From

The District Magistrate,
Kolar District.

To

The Secretary to the Government of Mysore,
Revenue Department, Bangalore.

Dated 18th July 1921.

Despatched.

Received. 21 JUL 1921

General No: Rpl 53
No: 25-22

Encls. Recpts

Submitting an application for the surrender of one Nanjunda Setti, Concerned in C.C No 97 of 20-21 on the file of the Amildar and 2nd Class Magistrate, Malur

4

APPLICATION FOR A WARRANT UNDER ACT XV OF 1903, THE INDIAN EXTRADITION

A C T.

1. Officer to whom the warrant should be issued.	District Magistrate. Salem.
2. Magistrate of the District or the authority who wants the warrant issued.	District Magistrate, Kolar.
3. Name and description of accused persons.	Nanjunda Setty, son of Kota Rama setty, Vysya Caste, aged about 25 years.
4. Name of the offence committed and Sec. of I.P.C. under which the accused is charged.	Theft under Sec. 379 I.P.C. or receiving or retaining stolen property, under Sec. 411 I.P.C.
5. Place and date of occurrence.	Anikarahalli, 10-1-1921.
6. Where, under whose custody, the accused person is supposed to be.	The Police Inspector, Malur reports that the accused surrendered himself to the Stationary Sub Magistrate, Hosur Taluk who has enlarged him on bail.
7. Whether the accused is alleged to have absconded.	No.
8. Officer to whom the accused should be delivered	Inspector of Police, Malur.
9. Place at which the accused should be delivered.	Malur.
10. Whether the accused is a British subject or a subject of Mysore or to which State he belongs.	British Subject.
11. Place of domicile of the accused and his whereabouts.	Beraki, Hosur Taluk, Salem District.

R Mallappa
for District Magistrate, 19/7
Kolar District.

V.V.R.

5

Office of the District Magistrate, Kolar District.

Dated Kolar, the 18th July 1921.

M e m o.

The case under reference is one of the series of thefts of sandalwood, committed in the village of Anakarhalli, in the Malur Taluk, the facts being almost similar to those in C. C. No:88 of 1920-21, on the file of the Amildar and II Class --- Magistrate of Malur, in which the surrender of the accused Madanagiriamma, has been sought for. Vide letter No: J.C.931 dated 21-6-21.

2. The Forest Range Officer, P.W.7, on receipt of information from the Patel that thefts in respect of 4 sandalwood trees, had taken place on the night of the 10th January last, — 2 in the garden of 1st P.W, and 2 in that of the 2nd P. W, proceeded to the spot, inspected the trees and found that the 4 trees referred to, had been sawn and removed. In the course of enquiry, he learnt that sandal wood could be found in the houses of the accused Nanjundachetty and others, at Berki, whither he went, got the houses referred to, searched by P.W.5, in the presence of the Panchayetdars, without any result, however. But before the search commenced, the accused himself produced five sandal wood pieces from his house. On suspicion, the well in the accused's house, was also searched by P.W.3 and 25 pieces of sandalwood, were discovered therein. On a careful examination, it was found that one of the pieces, found in the well, tallied with one of the roots in the garden of P.W.1, and that another piece, found in the well, also tallied with one of the roots in the garden of P.W.2, as showing that they formed part and parcel of the trees, cut and stolen. It is also in evidence that the 25 pieces, referred to, were green and appeared to have been recently cut.

3. For the purpose of this enquiry, 7 witnesses have, in all, been examined.

P.Ws. 1 & 2, the garden owners, speak to the commission of the thefts in their gardens, and speak, further, to the 2 pieces, found in the well, tallying with the roots left in their gardens.

P.W.3 is the person who was deputed to go into the well, in the accused's house and he testifies to the discovery of the 25 pieces in it.

P. W. 4, the village Munsiff of Berki, P.W.5, the Sub Inspector of Berki and P.W.6, the Patel of Anakarhalli and P.W.7, the Forest Ranger of Bowringpet, are also witnesses to the search in the well and to the finding of the sandal pieces, in question.

4. The value of the sandal trees, stolen, is estimated at Rs 250/-.

5. From the above, it may be seen that a prima facie case has been made out against the accused, for an offence of theft, or receiving stolen property, for the trial, which his surrender is sought for.

K M Mallaiah
for District Magistrate, 19/7
Kolar District.
RLS

V.V.R.

G. . S. VI—G/32]

7

SUBJECT.....

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Diary No. of letter replied to 282

Section Courts
File No. 32 of 21
Serial No 2

General and Revenue Secretariat

( )

, *the* 191 .

No. 708 Records

To The Distt: Magistt
Kolar Distt.

Date of issue 11/8

Signed by M^r Rao

Sir

With reference to Your letter No. R.J.C. 53/21-22 dt 18/20 July 1921 regarding extradition warrant for the Surrender of Naynuda Chetty accused in C.C No. 97 of 20-21. on the file of the Addl Magistrate, Malur, I am directed to State that the offender may be prosecuted

over.

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if necessary in the Courts
having Jurisdiction in B. India
for reasons mentioned in this Office
May letter No. J 578 dts 260-20-4 ~~re of evidence~~
By 1/8/1921 re. if evidence of theft in the limits of the State
is forthcoming the same may be gathered & the appli-
cation made for extradition.

Thanks &c

D 1/8
Secy to Govt
Rev. Department.

List of enclosures.

Copied by

Examined by